

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

**NOEL CANNING, A DIVISION OF THE
NOEL CORPORATION,**

Petitioner,

v.

**NATIONAL LABOR RELATIONS
BOARD,**

Respondent.

Case No. 15-1029

**STATEMENT OF ISSUES TO BE
RAISED**

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Pursuant to the Court's procedural order of February 13, 2015, the Petitioner Noel Canning, a Division of the Noel Corporation, sets forth its Statement of Issues that it expects to raise in this proceeding:

1. Whether the National Labor Relations Board acted without jurisdiction in Board case 19-CA-032872 when it purported to enter a decision and order on December 16, 2014, reported as 361 NLRB No. 129, after this Court issued a final decision on January 25, 2013¹ denying enforcement of the same Board case which was upheld by the Supreme Court on June 26, 2014,² and neither decision remanded the case to the Board.

¹ *Noel Canning v. NLRB*, 705 F.3d 490 (DC Cir. 2013).

² *NLRB v. Noel Canning* _U.S._, 134 S.Ct. 2550 (2014).

Respectfully submitted this 16th day of March, 2015

/s/ Gary E. Lofland
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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of March, 2015, I electronically filed the forgoing document entitled *Statement of Issues to be Raised* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

National Labor Relations Board – Appellee

Linda Dreeben – linda.dreeben@nlrb.gov

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Date: March 16, 2015

/s/ Gary E. Lofland

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